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OFFICE OF PETITIONS

In re Application of :
Genet et al. : DECISION ON PETITION
Application No. 10/500,162 :
Filed: June 25, 2004 :
Attorney Docket No. 0501-1097 :

This is a decision on the PETITION UNDER 37 CFR §1.181 TO
WITHDRAW THE HOLDING OF ABANDONMENT filed September 11, 2006.

The petition under § 1.181 is **GRANTED**.

The above-identified application became abandoned for failure to file a timely and proper reply to the non-final Office action mailed January 10, 2006. This Office action set a shortened statutory period for reply of three (3) months, with extensions of time obtainable under § 1.136(a). No reply considered filed and no extension of time considered obtained, the application became abandoned effective April 11, 2006. A courtesy Notice of Abandonment was mailed on July 21, 2006.

Petitioner states that a timely response to the Office action was filed on July 10, 2006. In support thereof, petitioner submits a copy of the response including the extension of time as maintained to have been timely filed.

Petitioner's evidence has been reviewed, and is persuasive. However, consideration of their evidence is unnecessary. Their response, including an extension of time, is present in the application with a date of receipt of July 10, 2006.

Further, the three-month extension of time, required to make the response timely, was previously charged to petitioner's Deposit Account.

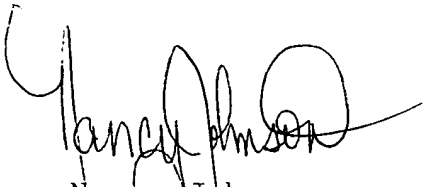
Accordingly, the Notice of Abandonment mailed July 21, 2006 is hereby **VACATED**, and the holding of abandonment is hereby **WITHDRAWN**.

The petition under § 1.181 is **GRANTED**.

No fee is required on petition under § 1.181.

Technology Center AU 3737 has been advised of this decision. The application file is, thereby, forwarded to the Technology Center's technical support staff to withdraw the holding of abandonment and for consideration by the examiner of the response shown to have been timely filed on July 10, 2006.

Telephone inquiries specific to this decision should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson", with a large, stylized initial "N" and a long, sweeping underline.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions